

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	8:13CR450
Plaintiff,)	
)	
vs.)	ORDER
)	
DANA LEE DICK,)	
)	
Defendant.)	

This matter is before the court on the motion to continue by defendant Dana Lee Dick (Dick) (Filing No. 28). Dick seeks a continuance of the trial of this matter which is scheduled for June 29, 2015. Upon consideration, the motion will be granted. **HOWEVER, NO FURTHER MOTIONS BY EITHER PARTY TO CONTINUE THE TRIAL IN THIS MATTER WILL BE GRANTED ABSENT A SHOWING BY AFFIDAVIT THAT THE DENIAL OF SUCH MOTION WOULD CONSTITUTE A MANIFEST INJUSTICE.**

IT IS ORDERED:

1. Dick's motion to continue trial (Filing No. 28) is granted.
2. Trial of this matter is re-scheduled for **July 27, 2015**, before Senior Judge Joseph F. Bataillon and a jury. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., the time between **June 23, 2015, and July 27, 2015**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason that defendant's counsel requires additional time to adequately prepare the case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

DATED this 23rd day of June, 2015.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge